

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

NAYEEM GORDON,
Defendant.

CRIMINAL ACTION

NO. 15-00496

O R D E R

AND NOW, this 8th day of April, 2022, upon consideration of *pro se* Petitioner Nayeem Gordon's Motion to Proceed In Forma Pauperis (ECF No. 1110), and Motion to Reduce his Sentence (ECF No. 1117), **IT IS HEREBY ORDERED:**

1. Gordon's Motion to Reduce his Sentence is **DENIED**.
2. Gordon's Motion for Leave to Proceed *in forma pauperis* is **DENIED**.¹

BY THE COURT:

/s/ Wendy Beetlestone

WENDY BEETLESTONE, J.

¹ Gordon is a prisoner incarcerated at Federal Correctional Institution in McKean, Pennsylvania. Pursuant to the federal *in forma pauperis* statute, 28 U.S.C. § 1915, a prisoner must provide a certified copy of their prison trust account statement reflecting the six-month period prior to the filing of the complaint along with their application. *See* 28 U.S.C. §§ 1915(a)(2), (b)(1)-(b)(2). Gordon's prison account indicates that he has had, on average, over \$2,000 in funds available in his account. Having reviewed Banks's financial circumstances, the Court concludes that he can afford to pay the applicable fees. *See Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339 (1948) (noting that while one need not be "absolutely destitute" to be granted *in forma pauperis* status, he or she must, because of his or her poverty, be unable to pay the fee).